

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DWIGHT THOMAS,)	
)	
Plaintiff,)	
)	
v.)	No. 07 C 6798
)	
PERCY COLEMAN, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

As this Court's December 10, 2007 and January 7, 2008 memorandum orders (respectively "Order I" and "Order II") have reflected (and as stated in Order II), pro se plaintiff Dwight Thomas ("Thomas") has been given the benefit of considerable doubt in permitting him to go forward with his self-prepared 42 U.S.C. §1983 Complaint. Now Thomas has tendered an Amended Complaint, together with what he captions as his "Motion for temporary release and a preliminary injunction - Federal plaintiff"--but he has delivered only an original of each of those documents (thus lacking not only the necessary copies for service on his putative defendants but also the required chambers copy for this Court).

Before this motion turns to the Amended Complaint itself, two preliminaries are in order:

1. Thomas' motion is totally groundless. This Court will not order him released from custody, but it will instead look to defense counsel to make arrangements for

Thomas to be available telephonically for the periodic status hearings held in cases on this Court's calendar.

2. Thomas cannot take advantage of the minimal balance in his trust fund account to shift the burden of copying expense to this District Court. As Order I found, the six-month average balance in Thomas' trust fund account for 28 U.S.C. §1915 purposes was nearly \$400, with periodic replenishments of \$50 and an occasional \$100. Accordingly the authorities at the County Jail (where Thomas is now in custody) are ordered to remit the sum of \$14 payable to the Clerk of this District Court as soon as the balance in Thomas' trust fund account exceeds that amount.¹ That remittance should carry this Case No. 07 C 6798 and be addressed as follows:

Office of the Clerk
United States District Court
219 South Dearborn Street
Chicago IL 60604


Attention: Fiscal Department

Now to the Amended Complaint.

Thomas has added some new prospective defendants--Brent Anderson, John Evans, Julius Flagg and some other unnamed "Jane/John Doe" defendants--none of whom were named in the

¹ That amount provides, at \$.10 per page, a copy of each of the two currently relevant documents (one 11 pages, the other nine pages) for each of the six defendants named in the Amended Complaint as well as for this Court's chambers.

original Complaint. As is appropriate whenever a pro se prisoner is proceeding in forma pauperis, the Marshals Service will proceed to obtain service on the new defendants. Meanwhile the present status hearing date of March 5, 2008 at 8:45 a.m. will go forward, even though the new defendants will not yet be in the case on an active basis.

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is written in a cursive, flowing style.

Milton I. Shadur
Senior United States District Judge

Date: February 27, 2008